

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

CATHERINE A. BLACK,

*Plaintiff,*

v.

UNUM LIFE INSURANCE  
COMPANY OF AMERICA,

*Defendant.*

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Civil Action No. 3:22-CV-2116-X

**MEMORANDUM OPINION AND ORDER**

Before the Court are Plaintiff Catherine A. Black's motion for attorney's fees (Doc. 81) and Defendant Unum Life Insurance Company of America ("Unum")'s motion to strike a declaration in Black's appendix to the attorney's fees motion (Doc. 87). Having carefully considered the parties' arguments, the underlying facts, and the applicable law, the Court **DENIES WITHOUT PREJUDICE** Black's motion for attorney's fees (Doc. 81). While 29 U.S.C. § 1132(g)(1) allows for fees, Federal Rule of Civil Procedure 54(d) calls for briefing on fees within 14 days after a judgment—and there is no judgment yet. The Court accordingly **DENIES** the fees motion. As such, the Court **FINDS AS MOOT** Unum's motion to strike (Doc. 87).

**IT IS SO ORDERED** this 11th day June, 2024.



BRANTLEY STARR  
UNITED STATES DISTRICT JUDGE